

CHAPTER 98

GOVERNMENT - SPECIAL DISTRICTS

HOUSE BILL 94-1268

BY REPRESENTATIVES Grampas and Gordon;
also SENATORS Rizzuto and Roberts.

AN ACT

**CONCERNING A PROHIBITION AGAINST CERTAIN SPECIAL DISTRICTS REQUIRING OWNERS OF
PROPERTY LOCATED OUTSIDE SUCH SPECIAL DISTRICTS TO CONNECT TO CERTAIN WATER LINES.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. 32-1-1006 (1) (a), Colorado Revised Statutes, as amended, is amended to read:

32-1-1006. Sanitation, water and sanitation, or water districts - additional powers - special provisions. (1) In addition to the powers specified in section 32-1-1001, the board of any sanitation, water and sanitation, or water district has the following powers for and on behalf of such district:

(a) (I) To compel the owner of premises LOCATED WITHIN THE BOUNDARIES OF ANY SUCH DISTRICT, whenever necessary for the protection of public health, to connect ~~his~~ SUCH OWNER'S premises, in accordance with the state plumbing code, to the sewer, water and sewer, or water lines, as applicable, of such district within twenty days after written notice is sent by registered mail, if such sewer or water line is within four hundred feet of such premises. If such connection is not begun within twenty days, the board may thereafter connect the premises to the sewer, water and sewer, or water system, as applicable, of such district and shall have a perpetual lien on and against the premises for the cost of making the connection, and any such lien may be foreclosed in the same manner as provided by the laws of this state for the foreclosure of mechanics' liens.

(II) NOTHING IN SUBPARAGRAPH (I) OF THIS PARAGRAPH (a) SHALL BE CONSTRUED AS AUTHORIZING THE BOARD OF ANY SANITATION, WATER AND SANITATION, OR WATER DISTRICT TO COMPEL ANY CONNECTION WITH THE SEWER, WATER AND SEWER, OR

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

WATER LINES, AS APPLICABLE, OF SUCH DISTRICT, BY ANY OWNER OF PREMISES LOCATED OUTSIDE OF SUCH DISTRICT WHO UTILIZES PRIVATE OR NONGOVERNMENTAL PERSONS, SERVICES, SYSTEMS, OR FACILITIES INCLUDING, BUT NOT LIMITED TO, AN INDIVIDUAL SEWAGE DISPOSAL SYSTEM, FOR THE PROVISION OF SEWER, WATER AND SEWER, OR WATER LINES TO SUCH PREMISES.

SECTION 2. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: April 7, 1994